

AMENDMENT TO THE CLAIMS

1. (Cancelled).
2. (Cancelled).
3. (Cancelled).
4. (Cancelled).
5. (Cancelled).
6. (Cancelled).
7. (Cancelled).
8. (Currently Amended) An apparatus for biometric authentication comprising a first memory area with biometric data as reference data and a comparison circuit ~~which generates~~ arranged to generate a first message permitting authentication when a comparison of the reference data with a person's newly detected biometric data yields a match which is equal to or greater than a given first threshold value, ~~characterized in that the comparison circuit also arranged to generate~~ generates a second message refusing authentication if a comparison of the reference data with a person's newly detected biometric data yields a match which is equal to or greater than a given second threshold value, wherein the apparatus is a smart card.
9. (Cancelled).
10. (Currently Amended). An apparatus according to claim 8, characterized in that the second threshold value is set at 100%.
11. (Previously Presented) An apparatus according to claim 8, characterized by further memory areas in which several data records of redetected biometric data are stored.
12. (Original) An apparatus according to claim 11, characterized in that the further memory areas form a stack.

13. (Original) An apparatus according to claim 11, characterized in that the further memory areas form a shift register.

14. (Currently Amended) An apparatus according to claim 8, characterized in that the second threshold value is set at a value = 99%.

15. (Currently Amended) An apparatus according to claim 8, characterized in that the apparatus is automatically disabled if the second message is present.

16. (Currently Amended) An apparatus according to claim 8, characterized in that the apparatus issues an error message if the second message is present.

17. (Cancelled).

18. (Previously Presented) An apparatus according to claim 8, characterized in that the apparatus has a device for detecting a person's biometric data.